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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

HOOPA VALLEY TRIBE,

Plaintiff,

v.

UNITED STATES BUREAU OF  
RECLAMATION; DEBRA ANNE  
HAALAND, in her official capacity as  
Secretary of the Interior; MARIA  
CAMILLE CALIMLIM TOUTON, in her  
official capacity as Commissioner of the  
United States Bureau of Reclamation;  
ERNEST CONANT, in his official capacity  
as U.S. Bureau of Reclamation California-  
Great Basin Regional Director; and UNITED  
STATES DEPARTMENT OF THE  
INTERIOR

Defendants.

Case No. 1:20-cv-01814-JLT-EPG

**JOINT STATUS REPORT**

The Federal Defendants do not oppose the Hoopa Valley Tribe's filing of its amended complaint, and consent to the filing of that amended complaint pursuant to Federal Rule of Civil Procedure 15(a)(2). See Exhibit A (October 28, 2022 e-mail from J. Scott Thomas); see also Dkt. 97, p. 61 (Certificate of Consent to File).

As required by the Court's August 12, 2022 Order, ECF No. 91, the parties are filing this joint status report to set forth a proposed briefing schedule. The parties have agreed to the following schedule:

- The Federal Defendants' answer or motion to dismiss will be due on **December 30, 2022**;
- If the Federal Defendants file a motion to dismiss, the Hoopa Valley Tribe's response to said motion will be due on **February 28, 2023**;
- The Federal Defendants' reply in support of a motion to dismiss will be due on **March 14, 2023**.
- If Federal Defendants file an answer instead of a motion to dismiss, the parties request that the Court set a scheduling conference as soon as possible.
- The parties reserve the right to file a motion for summary judgment, or partial summary judgment, pursuant to FRCP 56, subsequent to the date of this joint status report. The parties will confer with one another in advance of such filing, if any. The parties reserve all available arguments in defense of any summary judgment motion.

Accordingly, the parties respectfully request that the Court enter an order setting the agreed upon briefing schedule.

DATED: November 7, 2022.

Respectfully submitted,  
FOR PLAINTIFF:  
MORISSET, SCHLOSSER, JOZWIAK & SOMERVILLE  
/s/ Thane D. Somerville  
Thane D. Somerville

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*Attorneys for Hoopa Valley Tribe*

FOR FEDERAL DEFENDANTS:

TODD KIM, Assistant Attorney General  
United States Department of Justice  
Environment & Natural Resources Division

/s/ J. Scott Thomas (as authorized on 11/04/22)  
JEFFREY SCOTT THOMAS  
Trial Attorney  
U.S. Department of Justice  
Environment & Natural Resources Division

*Counsel of Record for the Federal Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 7, 2022, I electronically filed the foregoing Joint Status Report with the Clerk of the Court using the CM/ECF system, which will send notification of filing to all parties.

/s/ Thane D. Somerville  
THANE D. SOMERVILLE